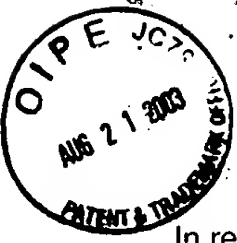


3736
#6

08-22



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
Amy M. Manetta

Application No. 09/805,970

Filed: March 14, 2001

For: A System and Method for Processing
Ventilator Information

Group Art Unit: 3736
Examiner:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
SEP 04 2003

TECHNOLOGY CENTER 83700

REVOCATION AND
SUBSTITUTION OF ATTORNEYS

Sir:

In the matter of the above-identified application, the assignee of record revokes all powers of attorney heretofore given and hereby appoints Jack J. Schwartz, as attorney with full power of substitution and revocation and association, to prosecute said applications and to transact all business in the United States Patent and Trademark Office connected therewith and to receive Certificates of Registration.

Please direct all future correspondence to Jack J. Schwartz & Associates, 1350 Broadway, Suite 1507, New York, New York 10018-7702, Tel: (212) 971-9017, Fax: (212) 279-0670.

Enclosed is a "Statement under 37 CFR 3.73(b)."

Date: 19 August 2003

By Ellen Roth
Ellen Roth, Esq.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration pursuant to 37 CFR 3.73(b)

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TECHNOLOGY CENTER R3700

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

The purpose of this declaration is to record that Ellen Roth, Esq. Assistant Company Secretary and officer of Siemens Medicals Solutions USA, Inc. is authorized to act, transfer and assign patents on behalf of Siemens Medicals Solutions USA, Inc. and is also authorized to act, transfer and assign patents on behalf of predecessor companies to Siemens Medicals Solutions USA, Inc. as the successor to such predecessor companies. Specifically, Ellen Roth, Esq. is authorized to act, transfer and assign patents on behalf of,

Siemens Medical Solutions USA, Inc., a Delaware corporation, having a place of business at 51 Valley Stream Parkway, Malvern, Pennsylvania 19355;

Siemens Medical Systems, Inc., a Delaware corporation, having a place of business at 186 Wood Avenue South, Iselin, New Jersey 08830;

Siemens Medical Electronics, Inc., a Delaware corporation, having a place of business at 16 Electronics Avenue, Danvers, Massachusetts 01923.

Chain of Title.

As evidence of Ellen Roth's authority,

Exhibit A establishes that **Siemens Medical Systems, Inc.**, changed its name to **Siemens Medical Solutions USA, Inc.**, on August 1, 2001.

Exhibit B establishes that **Siemens Medical Electronics, Inc.**, merged with and into **Siemens Medical Systems, Inc.**, on March 31, 1993.

Respectfully submitted,

Alexander J. Burke

Reg. No. 40,425

19 August 2003

Alexander J. Burke
Intellectual Property Department
Siemens Corporation,
170 Wood Avenue South
Iselin, N.J. 08830
Tel. 732-321-3023 – Fax 732-321-3030

State of Delaware
Office of the Secretary of State

EXHIBIT A

PAGE 1

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "SIEMENS MEDICAL SYSTEMS, INC.", CHANGING ITS NAME FROM "SIEMENS MEDICAL SYSTEMS, INC." TO "SIEMENS MEDICAL SOLUTIONS USA, INC.", FILED IN THIS OFFICE ON THE FIRST DAY OF AUGUST, A.D. 2001, AT 12 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE FIRST DAY OF OCTOBER, A.D. 2001.



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010383716

Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1282312

DATE: 08-07-01

**CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
SIEMENS MEDICAL SYSTEMS, INC.**

**Pursuant to Section 242
of the Delaware General Corporation Law**

The undersigned, Thomas McCausland, being the President & CEO of Siemens Medical Systems, Inc., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), **DOES HEREBY CERTIFY:**

FIRST: That Article **FIRST** of the Certificate of Incorporation be, and hereby is, amended to read in its entirety as follows:

"FIRST. Name. The name of the corporation is Siemens Medical Solutions USA, Inc.

—SECOND: That the aforesaid amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware with an effective date of October 1, 2001.

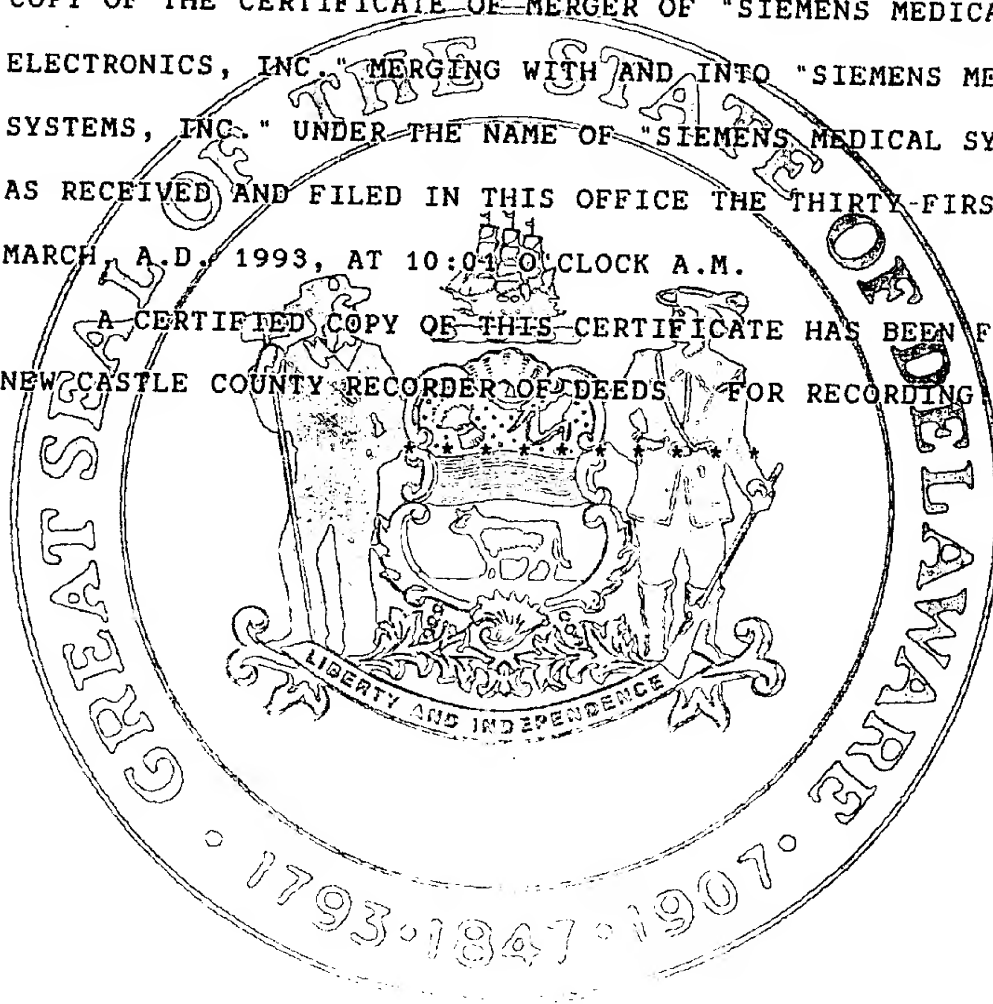
IN WITNESS WHEREOF, the undersigned has affixed his signature as President of this Corporation this 31st day of July, 2001.


Thomas McCausland
President & CEO

State of Delaware
Office of the Secretary of State

I, WILLIAM T. QUILLEN, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER OF "SIEMENS MEDICAL ELECTRONICS, INC." MERGING WITH AND INTO "SIEMENS MEDICAL SYSTEMS, INC." UNDER THE NAME OF "SIEMENS MEDICAL SYSTEMS, INC." AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF MARCH, A.D. 1993, AT 10:01 O'CLOCK A.M.

A CERTIFIED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO NEWCASTLE COUNTY RECORDER OF DEEDS FOR RECORDING



William T. Quillen

William T. Quillen, Secretary of State

AUTHENTICATION: *4046841

DATE: 09/08/1993

723251074

**CERTIFICATE OF MERGER
OF
SIEMENS MEDICAL ELECTRONICS, INC.
INTO
SIEMENS MEDICAL SYSTEMS, INC.**

Pursuant to Section 251 of the Delaware General Corporation Law

The undersigned corporation

DOES HEREBY CERTIFY:

FIRST: That the names and states of incorporation of each of the constituent corporations of the merger are as follows:

<u>Name</u>	<u>State of Incorporation</u>
Siemens Medical Electronics, Inc.	Delaware
Siemens Medical Systems, Inc.	Delaware

SECOND: That an Agreement and Plan of Merger between the parties to the merger has been approved, adopted, certified executed and acknowledged by each of the constituent corporations in accordance with the requirements of Section 251 of the General Corporation Law of the State of Delaware.

THIRD: That the name of the surviving corporation of the merger is Siemens Medical Systems, Inc.

FOURTH: That the Certificate of Incorporation of Siemens Medical Systems, Inc., a Delaware corporation which is surviving the merger, shall be the Certificate of Incorporation of the surviving corporation.

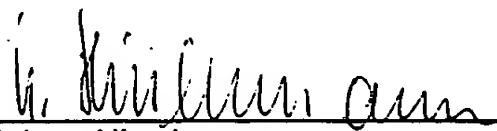
FIFTH: That the executed Agreement and Plan of Merger is on file at the principal place of business of the surviving corporation, the address of which is c/o Siemens Corporation, 1301 Avenue of the Americas, New York, New York.

SIXTH: That a copy of the Agreement and Plan of Merger will be furnished on request and without cost, to any stockholder of any constituent corporation.

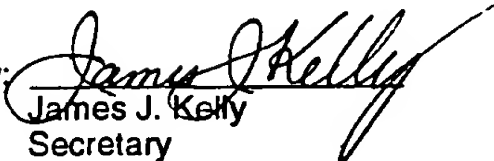
SEVENTH: That this Certificate of Merger shall be effective on March 31, 1993.

Dated: March 29, 1993

SIEMENS MEDICAL SYSTEMS, INC.

By: 
Helmut Hirschmann
Executive Vice President

ATTEST:

By: 
James J. Kelly
Secretary